



One Cyclotron Road
Berkeley, California 94720

Ernest Orlando Lawrence
Berkeley National Laboratory

August 6, 2003

State of California
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Revised Notice of Preparation Draft Focused, Tiered Environmental Impact Report

Project Title: Construction and Operation of Building 49

State Clearinghouse No: 2003062097

Project Location: Lawrence Berkeley National Laboratory

Lead Agency: University of California

County: Alameda County

Revised Project Description

On June 16, 2003, Lawrence Berkeley National Laboratory (LBNL or Berkeley Lab) filed a Notice of Preparation (NOP) to prepare an Environmental Impact Report (EIR) for the proposed construction and operation of Building 49 and the G-4 Parking Lot Project. As identified in the NOP and as stated during its June 30th scoping meeting, LBNL pledged to examine several alternatives to the proposed Project and to refrain from committing to any particular courses of action prior to undergoing the California Environmental Quality Act (CEQA) process. This process includes providing open scoping, soliciting of public and agency opinions, and examining the CEQA analyses under preparation by independent experts.

Having undergone this scoping process, Berkeley Lab has revised the project description to exclude using Building 49 excavation soil to construct the G-4 parking lot, and instead will haul the soil for disposal off-site. Therefore, the forthcoming EIR will drop consideration of the proposed G-4 parking lot, and will instead include as part of the proposed Project the shipment of soils off-site to be used as clean fill for landfill cover or construction projects elsewhere. Please refer to the attached Initial Study for a more detailed explanation of the project description and the forthcoming EIR.

LBNL thanks the many members of the public who took the time to review the project scoping materials, who attended the June 30th scoping meeting, and who responded verbally and in writing with their opinions.

Scoping Comments

The University of California¹ will be the Lead Agency and will prepare a focused, tiered Environmental Impact Report for the proposed construction and operation of Building 49 for Lawrence Berkeley National Laboratory, located in the cities of Berkeley and Oakland, Alameda County, California. A brief summary of the project description follows, along with a description of alternatives to be considered (Attachment A). A detailed project description and preliminary discussion of environmental issues, along with project graphics, is included in the attached Initial Study (Attachment B).

In response to the original June 16, 2003 NOP, LBNL received comments on both the Building 49 and the G-4 parking components of the Project. As a result of the current changes to the project description, those comments regarding the G-4 parking lot component are no longer relevant to the analysis. Comments regarding the Building 49 component of the Project, however, will continue to be considered in the preparation of the EIR. Interested Agencies and individuals are invited to submit comments based on the revised Project described herein and in the Initial Study.

We request your agency's views as to the scope and content of the environmental information germane to your agency's statutory responsibilities pertinent to the proposed Project. Your agency will need to use the EIR when considering any applicable permit(s) or other approval(s) for the proposed Project.

Your response should be sent not later than 30 days after receipt of this notice to be considered for the EIR scope and analysis. The name of a contact person within your agency should be included with your response.

Please send your response to: Jeff Philliber, Environmental Planning Coordinator
Lawrence Berkeley National Laboratory, MS 90K
One Cyclotron Road, Berkeley, California 94720

If you have any questions about this process, please contact Jeff Philliber, EIR Coordinator for this Project, at the above address or at (510) 486-5257.

Signature: _____ Date: August 5, 2003

Laura Chen, Chief Facilities Planner
Lawrence Berkeley National Laboratory

¹ LBNL is a multi-program U.S. Department of Energy (DOE) research laboratory operated and managed by the Regents of the University of California since 1940. LBNL is a geographically distinct entity and operates independently from UC Berkeley.

Attachments: Summary Project Description and Scope of Focused Tiered EIR
Public Scoping Meeting Announcement
Initial Study and Project Maps/Graphics

cc. State Agencies

State Clearinghouse
Dr. Alan C. Lloyd, CA Air Resources Board
Gary Adams et al, Chief, CalTrans
Sal Ciriello et al, Facility Permitting, CA EPA, Department of Toxic Substances Control
Robert C. Hight, Director, CA Department of Fish and Game
David Kennedy, Director, CA Department of Water Resources
Winston Hickox, Secretary, CA Environmental Protection Agency
Ms. Heidi Temko et al, CA State Water Resources Control Board, Division of Clean Water Programs
Ms. Mary D. Nichols, Secretary, CA Resources Agency
Mr. Edgar Bailey et al, Chief, CA Department of Health Services, Radiological Health Branch
Mr. Lawrence Kolb et al, Executive, CA Regional Water Quality Control Board

Federal Agencies

Mr. Michael Bandrowski et al, U.S. Environmental Protection Agency, Region 9, Office of Radiation and Indoor Air
Wayne White, Supervisor, U.S. Fish and Wildlife Service Enhancement Division, Sacramento Field Office
Mr. Richard Nolan, U.S. Department of Energy, Berkeley Site Office
Janet M. Neville, U.S. Department of Energy, NEPA Compliance Officer
Mr. Roger Little, U.S. Department of Energy

Regional/County Agencies

James Sorenson et al, Director, Alameda County Planning Department
Andy Parsons, Contra Costa County Department of Health Services
Mr. Pat O'Brien, East Bay Regional Park District

City of Berkeley

Ms. Sherry M. Kelly, City Clerk
Mr. Weldon Rucker et al, City Manager

City of Oakland

Ceda Floyd, City Clerk's Office
Jane Brunner, Councilmember City of Oakland, District 1
Mr. Robert Bobb, Office of the City Manager

University of California

Alan Waltner, UCOP et al, General Counsel
Howard Hatayama, Sr. VP, UCOP, Laboratory Administration

UC Berkeley

Vice Chancellor Horace Mitchell et al, Business and Administrative Services
Tom Lollini, Director, Physical and Environmental Planning

Attachment A

Revised Summary Project Description and Scope of Focused Tiered EIR

The Building 49 project site is located on a west-facing hillside, between Cyclotron Road and East Road, on the western side of the LBNL site, within the city limits of Berkeley. A detailed discussion of project description, location, and the potential environmental effects is contained in the attached Initial Study. The proposed Project has been revised to exclude the construction of the G-4 Parking Lot with excess project soils in favor of hauling soil off-site for disposal or reuse.

Building 49

Building 49 would be a six-story, 65,000 sq. ft. office building constructed at LBNL by a third-party developer who would lease the building to the University for LBNL's use. It would provide "decompression" office space for up to 240 staff who already work at LBNL under overcrowded conditions; it would not change the population at LBNL and would cause no new automobile commute trips. No laboratory research or space would be included in this building; accordingly, no hazardous laboratory chemicals or radionuclides would be emitted.

The approximately 1.08-acre project site is currently undeveloped and is located on the hillside east of Cyclotron Road, near LBNL's main entrance, and adjacent to the Building 50 complex. Building 49 construction would take place from approximately Spring 2004 to Fall 2005. The Project would require excavation, construction of new infrastructure, and site re-vegetation. The site has no record of soil contamination or other past activities that might be indicative of contamination. Approximately 19,000 to 26,000 cubic yards of soil would be excavated from the site for construction of the proposed building. The site is primarily vegetated with eucalyptus trees and non-native grassland. No Federally or State listed species of concern are known to exist on the site.

Excavated soils would be shipped off-site for disposal or reuse by an approved area landfill or construction site. The actual site would be determined at the time of excavation because the actual demand for soil is generally variable. Under the revised project description, soil would be shipped in amounts of approximately 12 cubic yards per truck, down Cyclotron Road, west on Hearst Avenue, south on Oxford or Shattuck Avenues, and west on University Avenue to Interstate 80. Under the maximum soil excavation scenario of 26,000 cubic yards, off-site disposal of soil would require approximately 2,200 round truck trips.

Scope of Environmental Impact Report

Environmental issues that will be analyzed in detail in this focused, tiered EIR include: aesthetics; air quality; biological resources; cultural resources; geology, soils, and seismicity; hazards and hazardous materials; hydrology and water quality; land use and planning; noise; public services; transportation and traffic; utilities and service systems; and cumulative impacts. Environmental issues to be focused out of the EIR are: agricultural resources; mineral resources; population and housing; and recreational resources.

The EIR will be tiered off of LBNL's 1987 Long Range Development Plan EIR, as amended, and will incorporate all applicable mitigation measures from that EIR, as appropriate.

Alternatives

The EIR will identify six possible alternatives to the proposed Project. In addition to a No Project Alternative, the following alternatives for Building 49 construction will be considered for analysis in the EIR:

Off-site lease(s): An equivalent amount of off-site space would be leased on the UC Berkeley campus, in the City of Berkeley, or in other nearby cities.

Alternate On-site Location(s): One equivalent-sized or a series of smaller buildings with equivalent total space would be constructed at different locations on-site.

Smaller Building: A smaller or differently designed building would be constructed at the presently proposed Project site. This building could include a smaller profile or footprint to reduce impacts identified in the EIR, as appropriate.

The following alternatives for disposal of excavated soil will also be considered in the EIR:

Soil Disposal On-site: Single or multiple alternate sites would be found at Berkeley Lab to distribute the up to approximately 26,000 cubic yards of excavated soil.

Soil Disposal at Off-site Landfill--Grizzly Peak Route: 26,000 cubic yards of soil would be trucked out in up to approximately 2,200 round truck trips to a nearby use or area landfill. The trucks would depart through the Grizzly Peak gate, up to Centennial Drive, to Grizzly Peak Blvd., to Fish Ranch Road, to Highway 24, to either Interstate 580 or Interstate 880.



Revised Initial Study

I. PROJECT INFORMATION

Project Title: Construction and Operation of Building 49*

SCH Number: 2003062097

Lead Agency: University of California, Lawrence Berkeley National Laboratory

Address: One Cyclotron Road, MS 90K, Berkeley, California 94720

County: Alameda County

Contact Person: Jeff Philliber
Environmental Planning Group
Lawrence Berkeley National Laboratory
One Cyclotron Road, MS 90K
Berkeley, California 94720

Phone Number: (510) 486-5257

*--Referred to herein as “the proposed Project” or “the Project.”

II. PROJECT DESCRIPTION

This Initial Study has been revised to reflect that the proposed project description no longer includes construction of the G-4 parking lot with surplus excavated soil from Building 49. Instead, soil would be hauled off-site in trucks for disposal or reuse elsewhere.

Description of Proposed Project

Building 49

The University of California (UC) proposes to enter into an agreement with a third-party developer (“the Developer”) to construct a six-story, 65,000 sq. ft. office building at the Lawrence Berkeley National Laboratory (LBNL, or “Berkeley Lab”). UC would execute a

ground lease for the Site with the Developer. The Ground Lease would allow the Developer to finance, design, build, own, and maintain the building. UC would lease all of the space in the Office Building from the Developer for use by LBNL through a Rental Agreement.

LBNL would use the building for office and meeting space. The proposed office building would include no laboratory space, and no laboratory research would be conducted in the building. The proposed Project would “decompress” existing staff from other areas of Berkeley Lab that are currently overcrowded or that do not meet LBNL workspace standards for office workers (i.e., 135 net square feet of primary office space per person). The proposed Project would not affect the population of the LBNL hill site—no new employees would be added to LBNL’s population as a result of this proposed Project.

The approximately 1.08-acre project site is currently undeveloped and is located on the hillside east of Cyclotron Road, near LBNL’s main entrance: the Blackberry Gate entrance on Cyclotron Road (see Figures 1 and 2). It is adjacent to the Building 50 complex to the east, Cyclotron Road and the Building 65 complex to the west, the main LBNL shuttle bus stop to the north, and an exterior stairway and undeveloped hillside further to the south. The proposed Building 49 would be occupied by up to approximately 240 current LBNL employees and would include approximately ten on-site service, visitor, and handicapped parking spaces. The proposed office building would be accessible from both Cyclotron Road at the entry floor level on the west side of the building, and from East Road (a.k.a. “Road E”) at the sixth floor level on the east side of the building.

Building 49 construction would take place from approximately Spring 2004 to Fall 2005. The Project would require excavation, construction of new infrastructure, and site re-vegetation. The site has no record of soil contamination or other past activities that might be indicative of contamination. Approximately 26,000 cubic yards of soil would be excavated from the site for construction of the proposed building. The site is primarily vegetated with eucalyptus trees and non-native grassland. No Federally or State listed species of concern are known to exist on the site.

Building 49 would be designed to complement the topography of the project site, as well as adjacent buildings and the predominant architectural style of LBNL (see Figures 3, 4, and 5). The Project would also be designed to provide short-range views of the Blackberry Canyon entrance area along Cyclotron Road, and long-range views (from its upper stories) of the University of California, Berkeley campus and adjacent areas, as well as the San Francisco Bay. With the possible exception of the uppermost floor(s), Building 49 would not be viewable from most off-site short, medium, and long-range views. The proposed building’s interior would be designed to promote interaction and collaboration between staff.

Building 49 would include a ground lease to the Developer who would own, finance, design, build, and manage the new office building. The University of California would lease the building from the Developer on a year-to-year basis for LBNL use. The University of California

has confirmed that any potential for the building to be leased or occupied by any party other than the University of California or the Department of Energy is not reasonably foreseeable, and is therefore not a part of this California Environmental Quality Act (CEQA) review. In the unforeseeable event that the University or the Department of Energy did not elect to lease the building, a separate CEQA review would be conducted for any alternative occupancy of the building, as appropriate

Soil Disposal or Reuse

The proposed Project would generate between approximately 19,000 and up to 26,000 cubic yards of excavated soil that would need to be transported away from the Building 49 project site. The soil would be loaded into trucks and hauled to an off-site location or locations where it would either be used as fill for landfill covering or as requested by nearby construction projects in need of clean fill at that time. For purposes of the CEQA analysis, it will be assumed that the soil would be shipped west on University Avenue to Interstate 80 to a nearby regional landfill that will be identified in the Environmental Impact Report (EIR) for this Project. It is assumed that each truck would carry approximately 12 cubic yards of fill for a maximum of approximately 2,200 round trips.

Project Need and Objectives

The proposed Building 49 is intended to help address a substantial shortage of office space at LBNL that results in overcrowded work conditions for many staff. It would advance LBNL towards its target—as recommended by the General Services Administration—of 135 net square feet of primary office space per person. LBNL's current sitewide space allocation is approximately 100 net square feet per person. As a third-party development, the Building 49 Project would eliminate the need for scarce governmental funding otherwise necessary to construct such a building on site. It would provide a building that is in close proximity to where it would be most useful (i.e., near the Lab's front entrance and near the densely populated Building 50 and Building 70 complexes), and it would be an opportunity to create a signature building that would serve as a focal point to LBNL from the main gate at Blackberry Canyon. The Project would avoid using additional leased space off site, thereby minimizing inefficiencies of staff being separated from the main Berkeley Laboratory hill site, including the time and expense of frequent travel between off-site leased space and the main site in the everyday conduct of LBNL business.

General Setting and Background

The main LBNL site straddles the border between the cities of Berkeley and Oakland in Alameda County adjacent to and east of the UC Berkeley campus. Berkeley Lab is situated in the ridges and draws of Blackberry and Strawberry Canyons in the East Bay Hills. The area to the west includes the UC Berkeley campus, and UC Berkeley student and general residential neighborhoods; to the north are single-family residential neighborhoods, the Lawrence Hall of

Science, and other rurally set recreational and cultural facilities and parking uses; to the east and southeast are University-owned rural lands including designated a ecological study area and botanical garden; to the south and southwest are the University, recreational facilities, and single-family residential neighborhoods.

A portion of the main LBNL site, including the upper east canyon area, was included in the US Fish and Wildlife Service's designation of critical habitat for the Federally threatened Alameda whipsnake. This designation included major portions of Alameda and Contra Costa counties; LBNL lies on the periphery of this designation area. The designation was made in the year 2000 and was vacated in 2003 by the U.S. District Court for the Eastern District of California. The Building 49 site does not lie within this formerly designated area

Lawrence Berkeley National Laboratory is a multi-program energy research laboratory operated and managed by the University of California under a contract with the U.S. Department of Energy (DOE). LBNL has operated at its present site since 1940. Its principal role for DOE is to conduct research on the broad range of fundamental sciences, energy, and environmental resources. Classified research is not conducted at LBNL.

LBNL is located on approximately 200 acres that are owned by the University of California and most of which are leased to DOE. DOE owns the facilities and structures that comprise LBNL, and it contracts out the management and operation of the National Laboratory to the University of California.

Long Range Development Plan Consistency

LBNL's current Long Range Development Plan (LRDP) and LRDP EIR were approved in 1987. The EIR was later supplemented in 1992 and an Addendum was prepared in 1997 (these documents are referred to hereafter collectively as the "1987 LRDP EIR, as amended"). In the forthcoming Project EIR, the proposed Project will be analyzed for consistency with the current LRDP and 1987 LRDP EIR, as amended.

The proposed Project would be within the space and population levels anticipated in the current 1987 LBNL LRDP and analyzed in the 1987 LRDP EIR, as amended. The proposed Building 49 would not present a land use conflict. Its site is underlain with utilities; it is adjacent to the existing Building 50 complex; and it is buffered from the surrounding off-site view points and land uses by terrain, vegetation, and surrounding buildings. The proposed Project would implement all applicable 1987 LRDP EIR, as amended, mitigation measures.

LBNL is undergoing a multi-year process to prepare a new LRDP and LRDP EIR. If adopted by The Regents of the University of California, these documents would guide future development at LBNL for approximately 20 years. It is expected that draft versions of these documents may be available for public review in early 2004. Although the current LRDP and 1987 LRDP EIR, as

amended, are the applicable guiding documents for this proposed Project, it is anticipated that the proposed Project would be completely consistent with the new LRDP and LRDP EIR.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The focused, tiered EIR will analyze the potential for project impacts in the following areas: 1) aesthetics; 2) air quality; 3) biological resources; 4) cultural resources; 5) geology, soils, and seismicity; 6) hazards and hazardous materials; 7) hydrology and water quality; 8) land use and planning; 9) noise; 10) public services; 11) transportation and traffic; 12) utilities and service systems; and 13) cumulative impacts. None of the environmental factors identified below are expected to be significant after inclusion of appropriate mitigation. Nevertheless, LBNL will continue preparation of an EIR for this revised project description.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Hazards & Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality	<input type="checkbox"/>	Land Use/Planning
<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing
<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation/Traffic
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance		

IV. DETERMINATION: (To be completed by the Lead Agency)

On the basis of the initial evaluation that follows:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. A TIERED ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental document is required. FINDINGS consistent with this determination will be prepared.

Signature

Date

Printed Name

For

V.

EVALUATION OF ENVIRONMENTAL FACTORS

Revised Initial Study Checklist

	Will be analyzed in EIR	No additional analysis needed
1. AESTHETICS – Would the Project:		
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Although the upper portion of Building 49 might be intermittently visible from some off-site locations, it is not expected to be substantially visible from off-site scenic vistas.		
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The site is not readily visible from a State scenic highway.		
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building 49 construction would remove trees and change the visual character of the immediate site; however, the site is adjacent to heavily developed areas.		
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Building 49 Project would introduce new sources of light and glare to the immediate site; however, new construction would conform to design guidelines and visual quality mitigation measures identified in the 1987 LRDP EIR, as amended, and it would be adjacent to existing light and glare sources.		
e) Exceed an applicable LRDP or Program EIR standard of significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.		

Although the upper portion of Building 49 might be intermittently visible from some off-site locations, the Project would not have a substantial adverse effect on a scenic vista or from a scenic road. The Building 49 roofline would be adjacent to and well below the building mass of the Building 50 complex to the east. In conformance with mitigation measures set out in the Laboratory's LRDP EIR, as amended, the building design and the construction materials used would reduce potential impacts of light and glare, and the building site would be landscaped.

Will be analyzed in EIR	No additional analysis needed
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2. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the Project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

☐☒

The LBNL site contains no agriculturally-used lands, nor any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

☐☒

See above. The project site is not zoned for agricultural use, and no Williamson Act contracts would be affected.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

☐☒

See above. The Project would not involve any changes in the environment that could result in the conversion of farmland to nonagricultural use.

d) Exceed an applicable LRDP or Program EIR standard of significance?

☐☒

No applicable standard of significance would be exceeded.

There are no agricultural resources at the LBNL site. The proposed Project would not result in the conversion of agricultural resources to non-agricultural use, conflict with existing zoning, or otherwise result in a significant environmental effect to designated agricultural resources. No impact would occur and no further analysis is required. Agricultural resources will be focused out from analysis in the EIR.

Will be analyzed in EIR	No additional analysis needed
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3. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:

a) Conflict with or obstruct implementation of the applicable air quality plan?



The Bay Area Air Quality Management District (BAAQMD) air basin is designated as a State non-attainment area for PM₁₀ (particulate matter with a nominal diameter of 10 microns or less), and as a Federal and State non-attainment area for ozone precursors. Construction of both elements of the proposed Project would produce temporary emissions of these pollutants, although in quantities expected to be well below their applicable BAAQMD's CEQA Guidelines thresholds of significance. Such increases would be very minor on a regional level. The Laboratory would use standard emission control and reduction measures, including measures to suppress dust during construction.

Operation of Building 49 would not require an emergency generator (as it would rely on the existing permitted generator used by the Building 50 complex), but would likely use gas-powered boilers for water heating. All necessary permits would be obtained through the BAAQMD, as appropriate.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?



See above. Estimated emissions from the Project are expected to be below BAAQMD CEQA Guidelines thresholds for all criteria pollutants. No laboratory research would take place in the building, and thus there would be no laboratory emissions of toxic air contaminants or radionuclides.

Although the BAAQMD air basin is designated as a non-attainment area for the State ozone and PM₁₀ standards, and a non-attainment area for the Federal ozone standard, any increased contribution to those pollutant emissions resulting from the proposed Project likely would be very minor on a regional level. Local PM₁₀ emissions due to construction would be controlled using applicable BAAQMD control measures, and likely would be less than significant based on that agency's criteria. No significant contribution to an air quality standard violation would be expected.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?



	Will be analyzed in EIR	No additional analysis needed
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The BAAQMD air basin is designated as a non-attainment area for the State ozone and PM₁₀ standards, and a non-attainment area for the Federal ozone standard, so any increased contribution of these emissions to the region would constitute an adverse cumulative impact. However, LBNL's expected increases in PM₁₀ and ozone precursor emissions as a result of the proposed Project would be relatively minor and would not likely pose a "cumulatively considerable net increase."

d) Expose sensitive receptors to substantial pollutant concentrations?



It is expected that no substantial pollutant concentrations would be created by the Project that would affect any known nearby sensitive receptors.

e) Create objectionable odors affecting a substantial number of people?



Ongoing activities from the proposed Project are not expected to create nuisance or objectionable odors affecting substantial numbers of people, particularly people off-site. Actions that might create objectionable odors include any asphalt-laying during construction activities. Such odors would be temporary and likely noticeable to a small number of off-site people, and then only under limited meteorological conditions.

f) Exceed an applicable LRDP or Program EIR standard of significance?



With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable air quality standard of significance would be exceeded.

Temporary construction-related air impacts would occur at the construction site and would result from construction vehicle exhaust and dust from earth movement. Operational impacts from Building 49 would be negligible, as the proposed Project would not generate any new automobile commute trips. Minor emissions from Building 49 gas-powered boilers and other building systems may occur.

4. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?



	Will be analyzed in EIR	No additional analysis needed
<p>Critical Habitat for the Federally threatened Alameda whipsnake was designated by the US Fish and Wildlife Service in 2000. This designated habitat area included thousands of acres in Alameda and Contra Costa counties, and included an area nearby to the proposed Project site (although this habitat designation was successfully challenged in a recent court case, LBNL will proceed with the analysis as if it were in place).¹ It is not expected that this Project would impact the Federally threatened Alameda whipsnake: the site is not located in the US Fish and Wildlife Service-designated critical habitat area, nor does it contain the characteristic features of classic whipsnake habitat, and there have never been reported sightings of this species anywhere within LBNL boundaries. Nevertheless, for the purposes of the EIR analysis, it will be assumed that the site might be used as a dispersal corridor for the Alameda whipsnake from habitat areas in the region and that the occasional presence of the species on the site is possible.</p>		
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p> <p>The Building 49 site contains no known riparian or sensitive habitat.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p> <p>The Building 49 site contains no known federally protected wetlands or waters of the United States as defined under the Clean Water Act.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p> <p>The site does not serve as a known migratory corridor or nursery site to any native resident or migratory species. This issue will be further examined in the EIR analysis.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>e) Conflict with any local applicable policies protecting biological resources?</p> <p>Berkeley Lab is not aware of any local applicable policies pertaining to biological resources on the project site.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹ On May 9, 2003, the U.S. District Court for the Eastern District of California vacated the Fish and Wildlife's Service's Final Rule designating critical habitat for the Alameda Whipsnake. Nevertheless, for the purposes of this analysis, LBNL conservatively recognizes the boundaries of the former critical habitat area in its consideration of possible impacts to biological resources.

	Will be analyzed in EIR	No additional analysis needed
No such plans have been adopted for LBNL site lands.		
g) Exceed an applicable LRDP or Program EIR standard of significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures that may be identified through the EIR analysis, by appropriate resource agencies, or through the permitting process, no applicable standard of significance is expected to be exceeded by the proposed Project.		
The proposed Project would include the removal of eucalyptus trees and assorted other trees, including a small number of oaks. The site will be examined for Alameda whipsnake habitat issues, although it is itself neither in designated habitat nor a good example of colonizable habitat.		
5. CULTURAL RESOURCES -- Would the Project:		
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No known or suspected historical resources exist at the proposed Project location.		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No known or suspected archaeological resources exist at the proposed Project location.		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No known or suspected paleontological resources or unique geologic features exist at the proposed Project location.		
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No known or suspected human remains exist at the proposed Project location.		
e) Exceed an applicable LRDP or Program EIR standard of significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.		

Will be analyzed in EIR	No additional analysis needed
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There are no known or expected archaeological or historical sites in the project excavation and construction area. As part of previous investigations, surface examinations for cultural resources were made of undeveloped lands at Berkeley Lab. If an unexpected encounter with a subsurface cultural resource such as an archaeological midden were to occur, LBNL would enact appropriate mitigation as part of the proposed Project.

6. GEOLOGY AND SOILS -- Would the Project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.



The Building 49 Project would be constructed on a sloped site within the Alquist Priolo zone, an area extending 150 meters (about 500 feet) on both sides of major active faults, in this case, the Hayward Fault. To the extent that personnel would relocate to these areas from areas more distant from the fault, it is possible that their exposure to seismic risks would marginally increase. The Project would meet applicable requirements for structures erected in this zone, and the structures would be designed in conformance with the University's seismic safety standards and other applicable Laboratory standards, which exceed California Building Code requirements.

ii) Strong seismic ground shaking?



See above.

iii) Seismic-related ground failure, including liquefaction?



See above.

iv) Landslides?



The proposed Project site is located on a relatively steep slope. To the extent that personnel would relocate to these areas from areas located on more level ground, it is possible that their exposure to landslide-related risks would marginally increase, especially during seismic events. See response to 6(a)(i), above. This would not be expected to be significant.

b) Result in substantial soil erosion or the loss of topsoil?



	Will be analyzed in EIR	No additional analysis needed
As it would be designed and constructed in accordance with management practices to minimize erosion, the Project would not result in substantial soil erosion. Topsoil within the footprint of the Project would be developed, or covered with engineered fill and paved or reseeded.		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
See (a)(i) and (a)(iv), above.		
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Building 49 would be constructed on a geotechnically engineered foundation and footing system. The Project would not be located on known expansive soils.		
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Like the rest of the LBNL site, Building 49 would rely on the East Bay Municipal Utility District sanitary sewer system for wastewater disposal.		
f) Exceed an applicable LRDP or Program EIR standard of significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.		

The Building 49 Project would be constructed on a sloped site within the Alquist Priolo zone, an area extending 150 meters (about 500 feet) on both sides of major active faults, in this case, recognized to be nearby to the Hayward Fault. It would be designed to the University's strict standards for earthquake safety, which exceed the building code requirements.

A Fault Rupture Hazard Investigation was prepared for the Building 49 Project in August 2002. Three trenches were dug across the site in order to study subsurface conditions for the purpose of determining if any fault-related features were present. The Investigation concluded that there are no fault-related features found to underlie the project site and that no fault-related features would impact the proposed Project.

7. HAZARDS AND HAZARDOUS MATERIALS – Would the Project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Will be analyzed in EIR	No additional analysis needed
Building 49 would be used as office and meeting space only; no laboratory research or storage, handling, or use of laboratory chemicals would take place within the building. The building would include no laboratories or fume hoods.		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
See above. Also, there is no history of hazardous materials processing, storage, or disposal on the Building 49 project site.		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No acutely hazardous materials, substances, or waste would be handled at the project location. Emissions associated with the Project would be minimal and would involve construction vehicle emissions, and building maintenance system emissions such as those from boilers. (An emergency generator would not be included in this Project as Building 49 would be connected to the existing emergency generator system for the Building 50 Complex.)		
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The project site is not located on any list of hazardous materials sites.		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Project is not located within two miles of an airport.		
f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Project is not located within two miles of a private airstrip.		
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Project would not impair or interfere with the Laboratory's emergency response and evacuation planning. The new building would be incorporated into LBNL's existing emergency response and evacuation plans.		

	Will be analyzed in EIR	No additional analysis needed
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is on sloped terrain and adjacent to both built-up areas and wildlands. The Laboratory as a whole is subject to dry, warm conditions and occasional high winds during the fire season. Fire hazards would be minimal as the building would meet all required safety standards and fire code, and the building would be surrounded up and downslope by roadways. LBNL has considerable on-site fire suppression capabilities and its own fire department, maintains mutual assistance arrangements with neighboring fire districts, and has implemented a fuel reduction/vegetation management program that has greatly reduced the risk of wildland fire in the vicinity of the Lab.

i) Exceed an applicable LRDP or Program EIR standard of significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.		

Building 49 would be used as office and meeting space only; no laboratory research or storage, handling, or use of laboratory chemicals would take place within the building. The building would include no laboratories or fume hoods. Emissions associated with the Project would be minimal and would involve construction vehicle emissions, and building maintenance system emissions such as those from boilers. An emergency generator would not be included in this Project as Building 49 would be connected to the existing emergency generator system for the Building 50 Complex.

Fire hazard would be minimal as the building would meet all required safety standards and fire code, and the building would be surrounded up and downslope by roadways.

8. HYDROLOGY AND WATER QUALITY -- Would the Project:

a) Violate any water quality standards or waste discharge requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The Project would not be expected to violate any water quality standards or waste discharge requirements; it is not expected to affect LBNL's existing wastewater discharge permit, although these issues will be examined in the EIR and with the appropriate resource agencies, as needed.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Will be analyzed in EIR	No additional analysis needed
Groundwater is not a major water source in the area. LBNL does not use on-site groundwater, there are no groundwater production wells on-site or nearby that support existing or planned land uses.		
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
There are no known drainage conveyances of note on the project site. Because the site is sloped, however, the proposed Project would result in the alteration of existing drainage patterns on the project site; this would not be expected to result in substantial erosion or siltation either on or off the site. Although the Project would decrease the permeable surface on the project site, it would not be expected to significantly alter the amount of flow entering into the downstream storm drain system. Although this is not expected to be significant, this issue will be further examined and a determination made in the EIR and in the coordination with the appropriate permitting agencies, as needed.		
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
See above. Drainage off-site would be facilitated by an engineered collection and drainage system. While the increase in impervious surface for Building 49 may increase the amount and speed of stormwater through the local storm drain system and ultimately into Strawberry Creek, these changes would be marginal and should not be expected to cause flooding.		
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
See above. The proposed Project would include appropriate mitigation (e.g., oil/water separators, etc.) to address potential water quality impacts, as appropriate.		
f) Otherwise substantially degrade water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
See above. It is not expected that water quality would be substantially degraded by the proposed Project.		
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Project does not involve any placement of housing and does not include any known flood areas.		

	Will be analyzed in EIR	No additional analysis needed
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
See above. The Project would not place structures within a 100-year flood hazard area.		
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
See above. The Project would not expose persons or structures to a significant risk of loss due to flooding. There are no upslope dams or levees in the project vicinity.		
j) Inundation by seiche, tsunami, or mudflow?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Project would not be in an area subject to these hazards.		
k) Exceed an applicable LRDP or Program EIR standard of significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.		

Building 49 would add an additional approximately 47,000 square feet of new impervious surface area. Although this would have a slight affect on the quantity, speed, and possibly quality of water flowing through the stormwater system that drains into Strawberry Creek, it is not expected to be significant. The EIR will examine this issue more closely.

9. LAND USE AND PLANNING - Would the Project:

a) Physically divide an established community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The proposed Project would not divided an established community.		
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the LRDP, general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The principal applicable land use planning document for Laboratory projects is Berkeley Lab's 1987 Long Range Development Plan. The proposed Project would be consistent with the population and space projections identified in the 1987 LRDP and analyzed in the 1987 LRDP EIR, as amended.		
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Project is not expected to conflict with any applicable conservation plan.		

	Will be analyzed in EIR	No additional analysis needed
d) Exceed an applicable LRDP or Program EIR standard of significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.		

The proposed Project would be consistent with the population and space projections identified in the 1987 LRDP and analyzed in the 1987 LRDP EIR, as amended. Building 49 would be adjacent to a large-scale complex of similar buildings.

10. MINERAL RESOURCES -- Would the Project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

☐☒

No mineral resources have been identified in the vicinity of the proposed Building 49 site.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

☐☒

The proposed Project would not result in the loss of availability of a locally-important mineral resource recovery site.

c) Exceed an applicable LRDP or Program EIR standard of significance?

☐☒

No applicable standard of significance would be exceeded.

No mineral resources have been identified in the vicinity of the proposed Building 49 location, and the proposed Project would not result in the loss of availability of such resources. No impact would occur and no further analysis is required. Mineral resources would not be affected by the proposed Project and would be focused out of the EIR analysis.

11. NOISE – Would the Project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in any applicable plan or noise ordinance, or applicable standards of other agencies?

☒☐

Noise meter testing simulating project activities will be conducted to determine whether applicable noise ordinances would be exceeded due to project construction or operational activities at either site.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

☒☐

	Will be analyzed in EIR	No additional analysis needed
Based on the activities that would take place and the distance of the site from offsite receptors, the Project is not expected to create excessive groundborne vibration or noise. No blasting or pile driving would be part of this Project.		
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Project would not create a substantial permanent or periodic increase in ambient noise levels. Ambient noise in the area of the Building 49 construction site is high throughout the work day, due to the relatively heavy traffic of automobiles, motorcycles, and trucks over Cyclotron Road and the frequent (every five minutes or so) operation of LBNL's shuttles at its main shuttle stop adjacent to Building 65. Project operational noise would be minimal and generally not noticeable compared to ambient surrounding noises.		
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
See above. Temporary noise would increase due to Project related excavation and construction activities, although these might not be substantial to off-site receptors given the ambient noise in the area. These will be modeled for the EIR using noise meter testing.		
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Project is not within an airport use plan or within two miles of a public airport.		
f) For a project within the vicinity of a private airstrip, would the Project expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Project is not within the vicinity of a private airstrip.		
g) Exceed an applicable LRDP or Program EIR standard of significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.		

Will be analyzed in EIR	No additional analysis needed
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Ambient noise in the area of the Building 49 construction site is relatively high throughout the work day, due to the relatively heavy traffic of automobiles, motorcycles, and trucks over Cyclotron Road and the frequent (every five minutes or so) presence of LBNL's shuttles at its main shuttle stop adjacent to Building 65. Project operational noise would be minimal and generally not noticeable compared to ambient surrounding noises. It would tend to consist of Building 49 HVAC and building noise.

Project construction would take place in the southwestern portion of LBNL. The Building 49 project site is approximately 650 feet from the nearest UC Berkeley student dormitories and private housing. Intervening terrain, trees, and buildings would likely dampen noise energy before it were to reach many of these receptors.

Noise meter testing simulating project activities will be conducted to determine whether applicable noise ordinances would be exceeded due to Project construction or operational activities at the site.

12. POPULATION AND HOUSING -- Would the Project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

☐
☒

The proposed Project would not create new housing. It would decompress space for existing staff positions and would not result in an increase in staff at LBNL, and thus would not create a demand for new housing. The Project's extension of infrastructure would not induce population growth because these would exclusively serve staff and visitors to the Laboratory.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

☐
☒

The Project would not displace any existing housing.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

☐
☒

The Project would not displace any residential housing or persons from the area.

d) Exceed an applicable LRDP or Program EIR standard of significance?

☐
☒

No applicable standard of significance would be exceeded.

The proposed Project would not induce population growth, displace housing, or displace people. No impact would occur and no further analysis is required. Population and housing issues would not be affected by the proposed Project and would be focused out of the EIR analysis.

Will be analyzed in EIR	No additional analysis needed
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13. PUBLIC SERVICES

a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

As with any new office building, fire protection services would be required for the proposed Building 49. However, the building would be designed in conformance with Fire Code standards, and would not present any unusual fire hazards. No increase in fire protection staffing would be expected.

Police protection?

As with any new office building, police protection services would be required for Building 49. There are no reasonably foreseeable crime or other public safety issues associated with the Project, and no increase in police protection staffing would be required.

Schools?

No increase in staff would result from the Project, and there would be no impacts upon schools.

Parks?

No increase in staff would result from the Project, and there would be no impacts upon parks.

Other public facilities?

No increase in staff would result from the Project, and there would be no expected impacts upon other public facilities.

b) Exceed an applicable LRDP or Program EIR standard of significance?



With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as Project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.

Will be analyzed in EIR	No additional analysis needed
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The proposed Project would cause a marginal increase in demand for some public services: a new building would present a new location for which police and fire protection would have to be provided. However, the proposed Building 49 would be built to the latest fire, earthquake, and safety codes, and would be located in close proximity to site security services. For the most part, because the proposed Project would not increase the population at LBNL, demand for public services would essentially remain the same, particularly for population-driven demands such as schools, parks, recreational facilities, and other public services.

14. RECREATION --

a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

☐☒

The proposed Project would not result in an increase in the number of staff at LBNL, or otherwise create an effect that could increase the use of existing parks and other recreational facilities.

b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☐☒

The Project does not include recreational facilities nor require the construction or expansion of such facilities.

c) Exceed an applicable LRDP or Program EIR standard of significance?

☐☒

No applicable standard of significance would be exceeded.

Will be analyzed in EIR	No additional analysis needed
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The Project would not affect recreational resources. No impact would occur and no further analysis is required. Recreational resources would not be affected by the proposed Project and would be focused out of the EIR analysis

15. TRANSPORTATION/TRAFFIC -- Would the Project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?



Because the proposed Project would not increase population at LBNL, no substantial increase in traffic would result, and traffic and traffic patterns should remain generally unchanged by the Project. Because Building 49 would be near the main Blackberry Gate entrance to LBNL, it is possible that the proposed Project could cause a small redistribution of commute traffic from its rear gates (Grizzly Peak and Strawberry gates) to the Blackberry gate entrance. Currently, a little over half of daily automobile trips to LBNL use the Blackberry gate entrance, and the remainder are divided fairly evenly between the Grizzly Peak and Strawberry Gates. This redistribution, if it does occur, would not result in a significant impact upon local roadways.

A temporary increase in construction-related traffic would occur between Spring 2004 and Fall 2005; these increases would not be expected to create a significant impact.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?



See above. Cumulative impacts will be analyzed in the Environmental Impact Report.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?



No effect on air traffic patterns would occur.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?



No hazards due to a design feature or incompatible uses would increase.

e) Result in inadequate emergency access?



Emergency access/egress would be adequately handled by existing.

f) Result in inadequate parking capacity?



	Will be analyzed in EIR	No additional analysis needed
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The proposed Project would not change the overall parking ratio at LBNL, although it would contribute to a shortage of parking in the Building 50 Complex area.

g) Conflict with applicable policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?



No conflict with applicable alternative transportation policies, plans, and programs would occur.

h) Exceed an applicable LRDP or Program EIR standard of significance?



With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.

Because the proposed Project would not increase population at LBNL, traffic and traffic patterns should remain generally unchanged by the Project.

A temporary increase in construction-related traffic (non-excavation) would occur between Spring 2004 and Fall 2005; these increases would not be substantial. Under the Project, a substantial number of excavation-related trucks trips through the City of Berkeley would be required to haul soil off-site—up to approximately 2,200 round truck trips through the excavation period.

16. UTILITIES AND SERVICE SYSTEMS – Would the Project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?



As staff would not increase as a result of the Project, and the activities that would take place in Building 49 would not generate significantly greater quantities of wastewater than is presently generated by the staff and activities that would relocate there from other locations, the project would not have a significant effect on wastewater generation and therefore would not cause Berkeley Lab wastewater to exceed treatment requirements.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?



See above. Due to these factors, the project would not require the construction or new treatment facilities or the expansion of existing ones.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?



	Will be analyzed in EIR	No additional analysis needed
<p>LBNL flows to storm sewers would likely increase marginally due to an overall decrease in permeable area. This increase would not be expected to require the construction of new facilities or the expansion of existing ones.</p>		
<p>d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Existing water supplies are expected to meet all reasonably foreseeable project needs.</p>		
<p>e) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>See above. It is expected that the East Bay Municipal Utility District will have adequate capacity to serve the marginal increase in Project wastewater treatment demand.</p>		
<p>f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>See above. By not increasing the number of people at Berkeley Lab, the proposed Project would not substantially change the Lab's solid waste generation. The quantity of solid waste that would be generated by the proposed Project is expected to be within the capacities of the landfills currently serving Berkeley Lab.</p>		
<p>g) Comply with applicable federal, state, and local statutes and regulations related to solid waste?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The Project will comply with all applicable solid waste requirements.</p>		
<p>h) Exceed an applicable LRDP or Program EIR standard of significance?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>With the implementation of the mitigation measures set out in the Laboratory's LRDP EIR, as amended, as well as project-specific mitigation measures if required, the Laboratory expects that no applicable standard of significance would be exceeded.</p>		

LBNL flows to storm sewers would likely increase marginally due to an overall decrease in permeable area. In regard to other facility-specific utility demand, electrical and energy use would increase commensurate with lighting, heating/cooling, and otherwise maintaining new office space.

Because the proposed Project would not increase the population at LBNL, demand for most utilities services would not substantially increase. This would be most evident with per capita usage of utilities tied to individual use (e.g., individual computer use, water consumption, wastewater generation, solid waste generation, etc.), which would not change whether the individuals continued to work in existing and overcrowded offices, or in the proposed new building.

	Will be analyzed in EIR	No additional analysis needed
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17. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?



The proposed Project would replace relatively undeveloped areas with a building, although this would be adjacent to heavily developed areas. Several eucalyptus and a small number of oak trees would be removed. Although not in former Federally designated critical habitat for the Alameda whipsnake, the EIR will examine whether the project area could possibly be used as a dispersal area for the species.

b) Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?



The proposed Project would result in the loss of pervious surface on the project site. This will be examined along with other projects in the area. It is not expected that any other potentially cumulatively considerable impacts would occur.

c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?



It is not expected that the proposed Project would cause direct or indirect substantial adverse effects on human beings.

The proposed Project would reduce vegetation—including screening eucalyptus and a few oak trees—from the project site. It would increase impermeable surface area at the Building 49 site.

18. Fish and Game Determination

Based on the information above, there is no evidence that the Project has a potential for a change that would adversely affect wildlife resources or the habitat upon which the wildlife depends. The presumption of adverse effect set forth in 14 CCR 753.5 (d) has been rebutted by substantial evidence.



Yes (Certificate of Fee Exemption)



No (Pay fee)



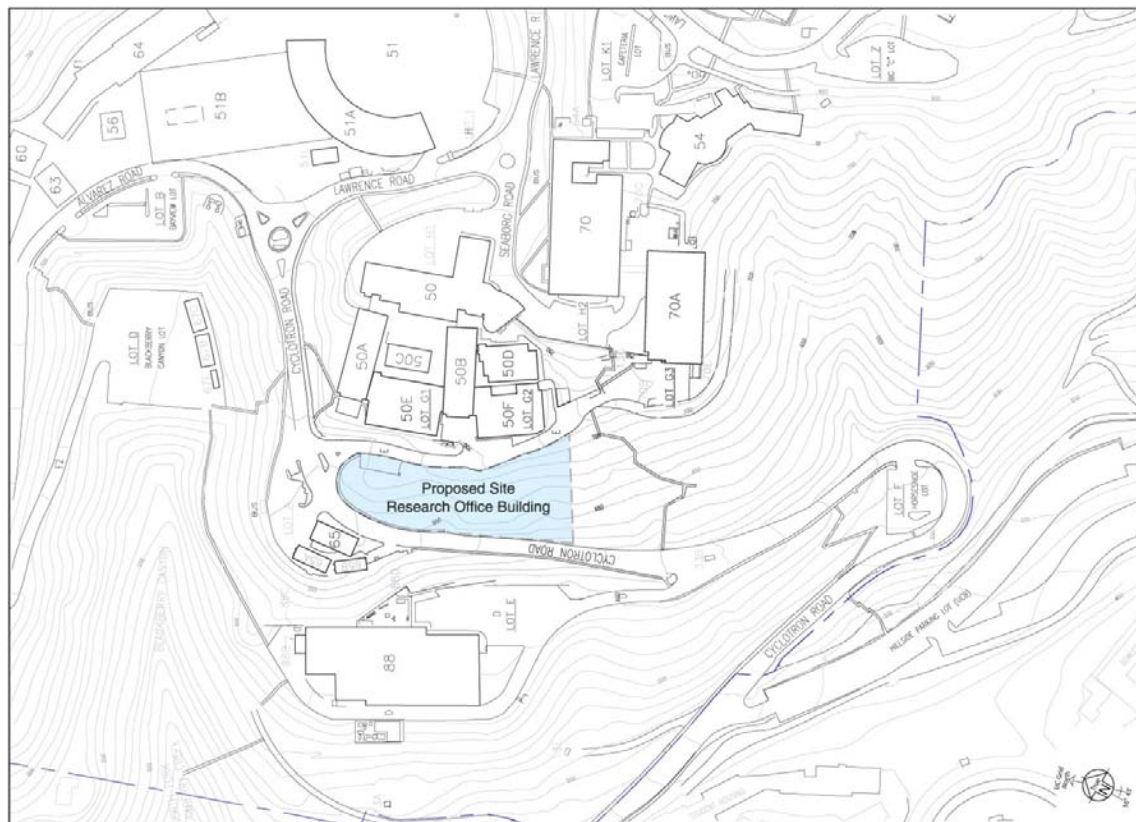


Figure 2: Building 49 Project Site Location

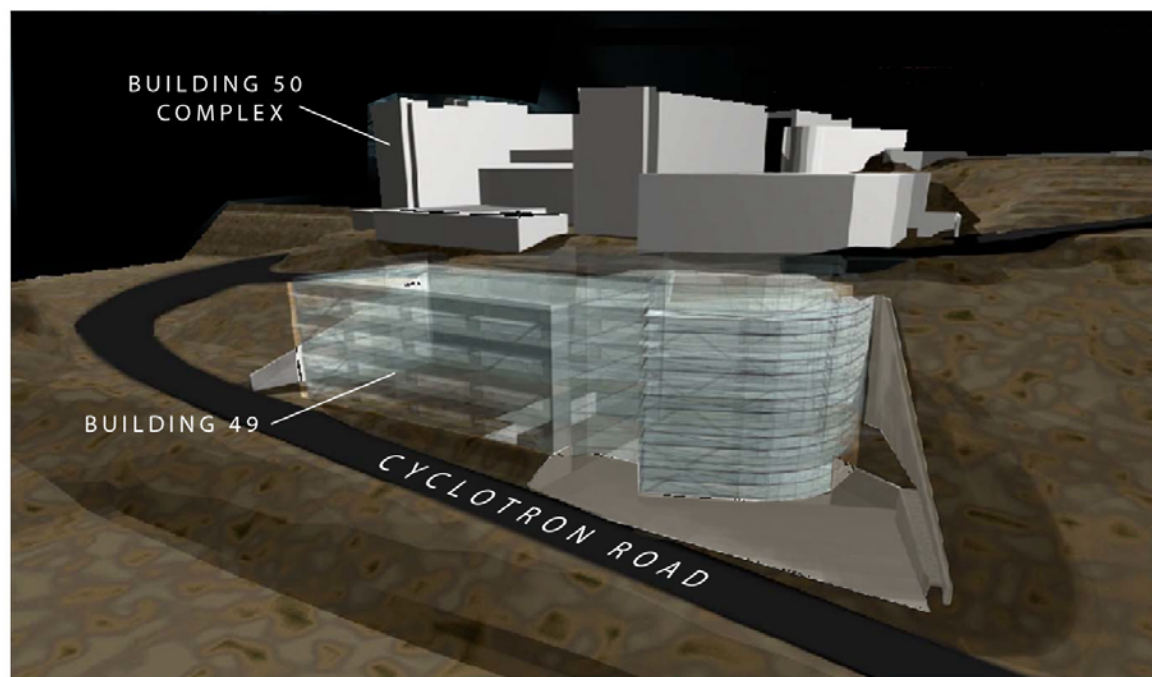


Figure 3: Building 49 Conceptual Building Form - Looking North East

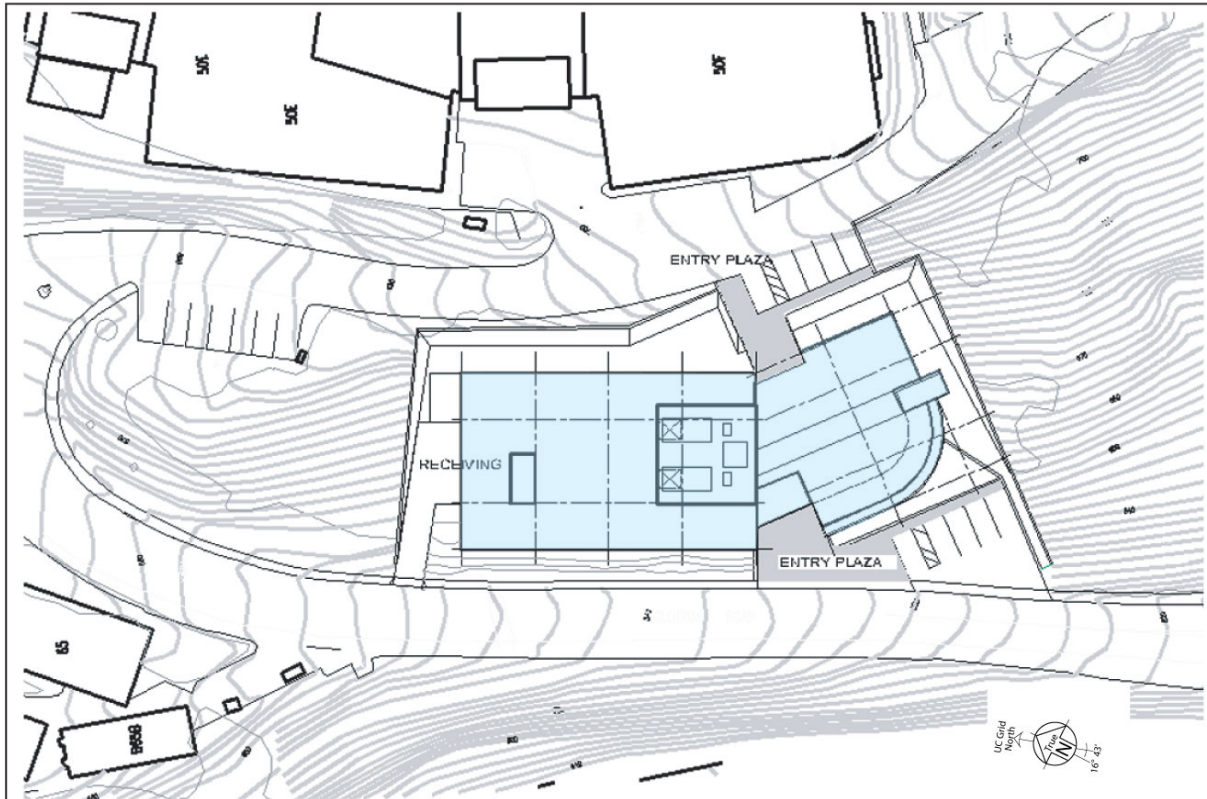


Figure 4: Building 49 Site Plan

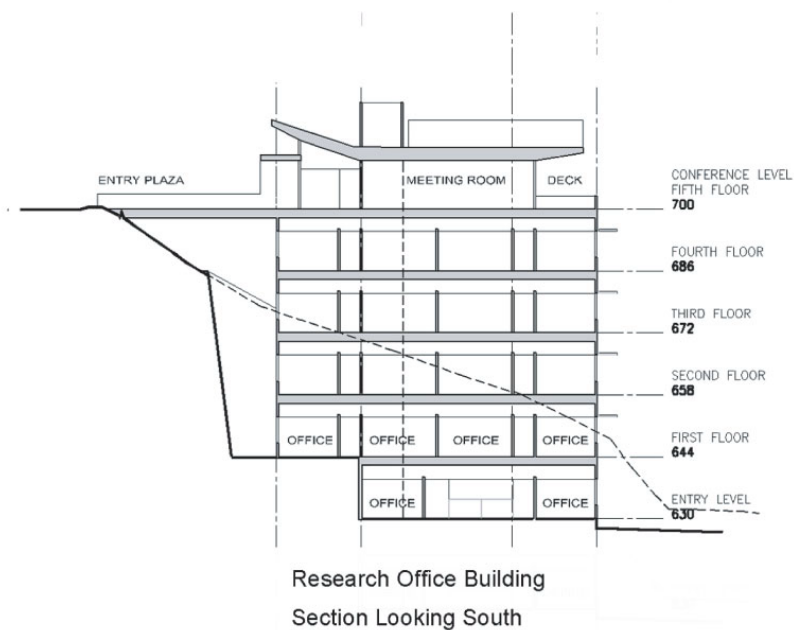
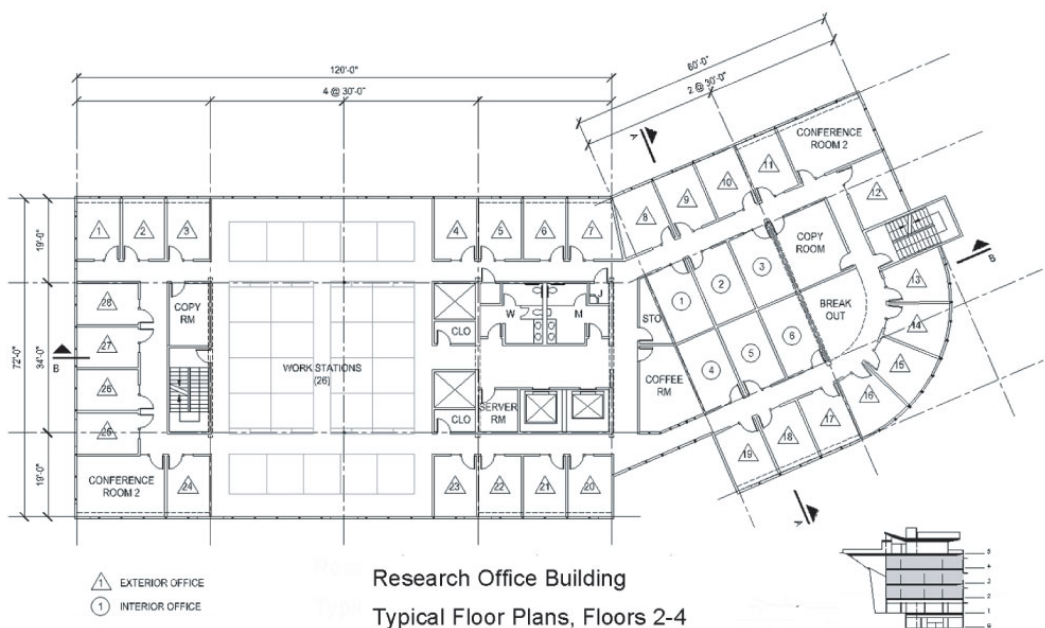


Figure 5: Building 49 Sample Floor Plan and Section